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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,591	12/09/2003	Lowell L. Winger	03-0970 1496.00331	3904
24319 7590 06/04/2007 LSI LOGIC CORPORATION 1621 BARBER LANE MS: D-106 MILPITAS, CA 95035			EXAMINER WONG, ALLEN C	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 06/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,591

Applicant(s)

WINGER, LOWELL L.

Examiner

Allen Wong

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/31/05</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 10 and 11 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1, 10 and 11 are not describing functional, definitive functions that yield a definitive, descriptive, real, tangible output or result. Because of the ambiguous nature of the claims as currently written in claims 1, 10 and 11, these claims need to be produced in a tangible body, machine readable, and be non-function descriptive material, to produce a definitive, real, tangible output or result such as *decoding the video image data for display*.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 and 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Den Branden (6,011,868).

Regarding claim 1, Van Den Branden discloses a method for activating and deactivating parameter sets comprising the steps of:

activating a first parameter set in response to a reference to a first identification value associated with said first parameter set (col.6, ln.25-35, Van Den Branden discloses the decoding of image data by activating the process of extraction of parameter sets, wherein the parameter sets can include sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header, GOPs, and the picture parameter set can include a picture layer that comprises slice header, macroblock header, picture block level, as illustrated in fig.2); and

deactivating said first parameter set in response to a reference to a second identification value associated with a second parameter set (col.6, ln.25-35, Van Den Branden discloses the use of a GUI 200 in that the first parameter set can be deactivated when activating the second parameter set, wherein the parameter sets can include sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header, GOPs, and the picture parameter set can include a picture layer that comprises slice header, macroblock header, picture block level, as illustrated in fig.2; also see col.7, ln.60 to col.8, ln.9).

Regarding claims 2 and 12, Van Den Branden discloses wherein said first parameter set and said second parameter set comprise picture parameter sets (fig.2, note the picture parameter set can include a picture layer that comprises slice header, macroblock header, picture block level, etc.).

Regarding claims 3 and 13, Van Den Branden discloses wherein said first parameter set and said second parameter set comprise sequence parameter sets (sequence parameter sets can include the video sequence layer that comprises sequence header, GOP header, GOPs, etc.).

Regarding claims 4-5 and 14-15, Van Den Branden discloses storing parameter sets (fig.5-6, element 200 is a computer readable medium that comprises memory or storage for storing the various parameter sets, such as sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header, GOPs, picture layer that comprises slice header, macroblock header, picture block level, after extraction of the various parameter sets).

Regarding claims 6, 9 and 16, Van Den Branden discloses wherein only one sequence parameter set and one picture parameter set are active at any given time (fig.5-6, the decoding process requires that the parameter sets are evaluated depending upon activation, see col.6, ln.25-35, Van Den Branden discloses the use of a GUI 200).

Regarding claim 10, Van Den Branden discloses an apparatus comprising:
means for activating a first parameter set in response to a reference to a first identification value associated with said first parameter set (col.6, ln.25-35, Van Den Branden discloses the decoding of image data by activating the process of extraction of parameter sets, wherein the parameter sets can include sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header,

GOPs, and the picture parameter set can include a picture layer that comprises slice header, macroblock header, picture block level, as illustrated in fig.2); and

means for deactivating said first parameter set in response to a reference to a second identification value associated with a second parameter set (col.6, ln.25-35, Van Den Branden discloses the use of a GUI 200 in that the first parameter set can be deactivated when activating the second parameter set, wherein the parameter sets can include sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header, GOPs, and the picture parameter set can include a picture layer that comprises slice header, macroblock header, picture block level, as illustrated in fig.2; also see col.7, ln.60 to col.8, ln.9).

Regarding claim 11, Van Den Branden discloses an apparatus comprising:

a first circuit configured (i) to activate a first parameter set in response to a reference to a first identification value associated with said first parameter set (col.6, ln.25-35, Van Den Branden discloses the decoding of image data by activating the process of extraction of parameter sets, wherein the parameter sets can include sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header, GOPs, and the picture parameter set can include a picture layer that comprises slice header, macroblock header, picture block level, as illustrated in fig.2), and (ii) to deactivate said first parameter set in response to a reference to a second identification value associated with a second parameter set (col.6, ln.25-35, Van Den Branden discloses the use of a GUI 200 in that the first parameter set can be deactivated when activating the second parameter set, wherein the parameter sets can

include sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header, GOPs, and the picture parameter set can include a picture layer that comprises slice header, macroblock header, picture block level, as illustrated in fig.2; also see col.7, ln.60 to col.8, ln.9); and

a second circuit configured to store said first parameter set and said second parameter set (fig.5-6, element 200 is a computer readable medium that comprises memory or storage for storing the various parameter sets, such as sequence parameter sets such as the video sequence layer that comprises sequence header, GOP header, GOPs, picture layer that comprises slice header, macroblock header, picture block level, after extraction of the various parameter sets).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-8 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Den Branden (6,011,868) in view of Yoo (6,999,512).

Regarding claims 7-8 and 17-19, Van Den Branden does not specifically disclose further comprising the steps of: parsing network abstraction layer (NAL) unit syntax from a bitstream; and parsing one or more NAL types from said NAL syntax. However, Yoo teaches the parsing of MPEG video layer syntax (fig.4, note the parsing of sequence

header 402, parsing Gop header 404, parsing picture header 406, parsing slice header 408, parsing macroblock header 410). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Van Den Branden and Yoo, as a whole, for accurately, efficiently encoding/decoding video image data while maintaining high image quality.

Regarding claim 20, Van Den Branden discloses a device configured to present a video display (fig.4, element 150 and fig.5-6, element 200).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (571) 272-7341. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Allen Wong', written over the printed name.

Allen Wong
Primary Examiner
Art Unit 2621

AW
5/29/07